RCMP External Review Committee

2016–17

Report on Plans and Priorities

The Honourable Ralph Goodale, P.C., M.P.
Minister of Public Safety and Emergency Preparedness

© Her Majesty the Queen in Right of Canada, as represented by the Minister of Public Safety and Emergency Preparedness, 2016

Cat. Number PS20-5E-PDF
ISSN 2292-3225

Table of Contents

Institutional Head's Message 1

Section I: Organizational Expenditure Overview 3

- Organizational Profile 3
- Organizational Context 4
- Planned Expenditures 8
- Alignment of Spending With the Whole-of-Government Framework 10
- Departmental Spending Trend 10
- Estimates by Vote 11

Section II: Analysis of Program by Strategic Outcome 13

- Strategic Outcome 13
- Program 1.1 13
- Internal Services 15

Section III: Supplementary Information 17

- Future-Oriented Condensed Statement of Operations 17
- Supplementary Information Tables 18
- Tax Expenditures and Evaluations 18

Section IV: Organizational Contact Information 19

Appendix: Definitions 21

Endnotes 25

Institutional Head's Message

I am pleased to present the 2016-17 Report on Plans and Priorities for the Royal Canadian Mounted Police External Review Committee (ERC).

The ERC supports accountability at all levels in the Force through its independent, impartial review of critically important labour relations matters within the RCMP. Our findings and recommendations to the Commissioner of the RCMP assist in providing assurance to RCMP members and managers that labour relations processes are fair and respect the principles of law.

The key challenge for the ERC in 2016-17 will be to address a workload comprising case file referrals under the *RCMP Act* and *RCMP Regulations* as amended effective November 28, 2014 and continuing referrals under the former legacy legislation – effectively two streams of work. Addressing our backlog of cases will continue to be a priority given a significant recent increase in the number of cases for review before the ERC. We will also focus on the development and implementation of service standards with time limits for ERC case reviews to support transparency, results and accountability for the ERC program. Likewise, we will maintain our commitment to continuous improvement in our management of the case file review program while also pursuing the resourcing needed to deliver it well. We will continue to work with the Minister, his department, the RCMP and other stakeholders to address related challenges.

We have made significant progress on a number of fronts in the administration of the ERC program. The ERC team will enter 2016-17 ready to contribute through its role in the fair resolution of labour relations matters within the RCMP and to make best use of available resources.

Elizabeth M. Walker
Chair

Section I: Organizational Expenditure Overview

Organizational Profile

Appropriate Minister: The Honourable Ralph Goodale, P.C., M.P.

Institutional Head: Elizabeth M. Walker, Chair

Ministerial Portfolio: Public Safety and Emergency Preparedness

Enabling Instrument(s): *Royal Canadian Mounted Police Act*, R.S.C. 1985, c. R-10[i]

Year of Incorporation / Commencement: 1986

Organizational Context

Raison d'être

The Royal Canadian Mounted Police (RCMP) External Review Committee (ERC) contributes to fair and equitable labour relations and accountability within the RCMP through its independent and impartial review of appeal case files. The ERC issues findings and recommendations to the Commissioner of the RCMP for final decisions to be made in appeals regarding critically important matters (e.g. appeals of decisions in harassment complaints, and of decisions to dismiss or demote an RCMP member for contravention of the RCMP Code of Conduct, to stop a member's pay and allowances when a member has been suspended from duty or to discharge a member for poor performance). The RCMP is required to refer appeal case files to the ERC for its review, findings and recommendations pursuant to the *Royal Canadian Mounted Police Act* and the *Royal Canadian Mounted Police Regulations*.

Responsibilities

The ERC provides independent and impartial reviews of certain labour relations matters regarding RCMP members pursuant to sections 33(1) and 45.15 of the *RCMP Act* and section 17 of the *RCMP Regulations*. The ERC plays a crucial role in the Force's labour relations process, thereby also supporting its human resources management and organizational performance more broadly. Upon completing its review of a case file, the ERC provides findings and recommendations to the Commissioner of the RCMP to support a final decision. The Commissioner (or a designate acting for the Commissioner) is not bound to follow the recommendations of the ERC but the Commissioner must provide reasons in writing if the recommendations of the ERC are not followed.

Over the years, the RCMP has made changes in a variety of areas based on recommendations made by the ERC. The ERC also plays a role in maintaining public confidence in the RCMP by helping to ensure that applicable law and human rights are respected in the Force's labour relations practices.

The ERC reports to Parliament through the Minister of Public Safety and Emergency Preparedness, who is the appropriate Minister responsible for the ERC for the purposes of the *Financial Administration Act*. The ERC has one member currently, the Chair, who is appointed by Order in Council for a fixed term. The Chair is supported by a small staff of public servants that includes legal counsel, program administrators and an Executive Director.

Strategic Outcome and Program Alignment Architecture

1. Strategic Outcome: Fair and transparent labour relations decision-making that reinforces accountability.

1.1 Program: Appeal case reviews

Internal Services

The Treasury Board of Canada Secretariat granted the ERC an exemption from reporting on financial commitments to Internal Services as a separate program beginning in 2009-10. This report therefore continues to present information based on a single ERC program.

Organizational Priorities

Priority 1: Confirm business requirements

Description: Confirm requirements for stabilized permanent funding and for incremental funding to address immediate pressures, organizational risks and the implications of working under recently-implemented legislation and the previous (now legacy) provisions concurrently.

Priority Type[1]*:* New

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Link to ERC's Program Alignment Architecture
• Develop multi-year case file referral workload projections.	2014-15	2016-17	1. Fair and transparent labour relations decision-making that reinforces accountability. 1.1 Appeal case reviews
• Assess operational and corporate management capacity gaps; confirm risks and opportunities.	Ongoing	Ongoing	
• Finalize and present an updated business case.	2016-17	2016-17	

1. Type is defined as follows: previously committed to—committed to in the first or second fiscal year prior to the subject year of the report; ongoing—committed to at least three fiscal years prior to the subject year of the report; and new—newly committed to in the reporting year of the Report on Plans and Priorities or the Departmental Performance Report.

Priority 2: Continuous improvement in case file review management

Description: Deliver case reviews in a timely manner under the current legislation while concurrently addressing a backlog of legacy legislation case files.

Priority Type: Previously committed to

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Link to ERC's Program Alignment Architecture
• Monitor, review and update case review processing and analysis arrangements and practices to support continuous improvement.	Ongoing	Ongoing	1. Fair and transparent labour relations decision-making that reinforces accountability. 1.1 Appeal case reviews
• Coordinate with the RCMP on program administration, where appropriate.	Ongoing	Ongoing	

Priority 3: Service delivery standards

Description: Develop and publish service delivery standards with time limits for completing case reviews (as required by the *RCMP Act*, s. 28.1).

Priority Type: Previously committed to

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Link to ERC's Program Alignment Architecture
• Confirm a framework for developing service standards.	Ongoing	January 2017	1. Fair and transparent labour relations decision-making that reinforces accountability. 1.1 Appeal case reviews
• Assess categories of case files to differentiate for time limit variations.	Ongoing	January 2017	
• Advise stakeholders of planned service standards.	To be confirmed	To be confirmed	
• Implement and make public the service standards.	To be confirmed	March 31, 2017	

Priority 4: Invest in our people

Description: Activities to support employee continuous learning, professional development and staff retention.

Priority Type: Ongoing

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Link to ERC's Program Alignment Architecture
• Provide a range of learning and development opportunities and varied work assignments for employees. • Develop a multi-year integrated human resources and business plan; staff required positions on a permanent basis.	Ongoing To be confirmed	Ongoing To be confirmed	1. Fair and transparent labour relations decision-making that reinforces accountability. 1.1 Appeal case reviews

Risk Analysis

Key Risks

Risk	Risk Response Strategy	Link to Program Alignment Architecture
Reduced program performance due to increased workloads - operational requirements further exceed organizational capacity.	Seek stabilized permanent funding and multi-year funding to meet current and anticipated requirements. Review and adapt case review practices to optimize efficiency, including the development of service standards.	1. Fair and transparent labour relations decision-making that reinforces accountability. 1.1 Appeal case reviews
Instability in funding and reduced capacity to plan and address program risks threaten program integrity.	Seek stabilized permanent funding and multi-year funding to meet current and anticipated incremental requirements. Develop and implement a plan to support required management and organizational transition.	1. Fair and transparent labour relations decision-making that reinforces accountability. 1.1 Appeal case reviews

The current legislation governing the work of the ERC came into force in late 2014 (within the *RCMP Act* and the *RCMP Regulations*). In 2016-17, the ERC will be simultaneously managing: i) case file referrals under the former legacy legislation (with referrals expected to continue for approximately five years); and, ii) ongoing case file referrals under the current legislation (which began arriving at the ERC in March 2015). In this context, the workload of the ERC may double from historical rates based on preliminary projections for the combined streams of work. In this situation and without significant additional resources, the ERC's current backlog of case files will grow considerably. With an unusually large number of file referrals in 2015-16, the backlog is already much higher entering 2016-17 than it was a year ago. The immediate risk is that the workload generated by the combination of increased backlog, continuing legacy referrals and referrals under the current legislation will severely hamper the ability of the ERC to complete its file reviews in a timely manner. Such delay would compromise the substance, relevance and utility of ERC findings and recommendations and lead to a significant reduction in program performance.

Temporary funding provided on an annual basis has constituted almost half of the ERC operating budget for a number of years and will again for 2016-17. This temporary funding arrangement represents a risk to the integrity of the appeal case review program, particularly in light of the anticipated increase in the ERC's workload. The ERC has, to date, been forced to adopt a truncated management approach. The organization's ability to plan for the longer term and to make full and timely use of funds has been limited; multi-year spending commitments have, of necessity, been avoided; and, key positions have not been staffed indeterminately. Given the small size of the ERC, staff retention is a key associated concern (as the loss of even a single human resource represents a significant operational risk).

Planned Expenditures

Budgetary Financial Resources (dollars)

2016–17 Main Estimates	2016–17 Planned Spending	2017–18 Planned Spending	2018–19 Planned Spending
1,554,862	1,554,862	954,862	954,862

Human Resources (Full-Time Equivalents [FTEs])

2016–17	2017–18	2018–19
8	6	6

Budgetary Planning Summary for Strategic Outcome and Program (dollars)

Strategic Outcome(s), Program(s) and Internal Services	2013–14 Expenditures	2014–15 Expenditures	2015–16 Forecast Spending	2016–17 Main Estimates	2016–17 Planned Spending	2017–18 Planned Spending	2018–19 Planned Spending
Strategic Outcome: 1. Fair and transparent labour relations decision-making that reinforces accountability.							
1.1 Appeal case reviews	1,605,928	1,584,606	1,595,777	1,554,862	1,554,862	954,862	954,862
Subtotal	1,605,928	1,584,606	1,595,777	1,554,862	1,554,862	954,862	954,862
Internal Services Subtotal*	0	0	0	0	0	0	0
Total	1,605,928	1,584,606	1,595,777	1,554,862	1,554,862	954,862	954,862

* The ERC has sought to continue its exemption from reporting separately on Internal Services expenditures.

The ERC's budgetary planning trend has been relatively consistent for the last several years. It has augmented its base budget through approvals of annual temporary funding that have represented a significant proportion of actual expenditures. The amounts of actual expenditures have remained generally consistent. The impacts of inconsistency in the sources and the timing of the allocation of funds to the ERC, together with funding being received only on a temporary annual basis, have led to basic management challenges regarding expenditure planning. The resulting financial planning orientation has been less long term and strategic in result.

Alignment of Spending With the Whole-of-Government Framework

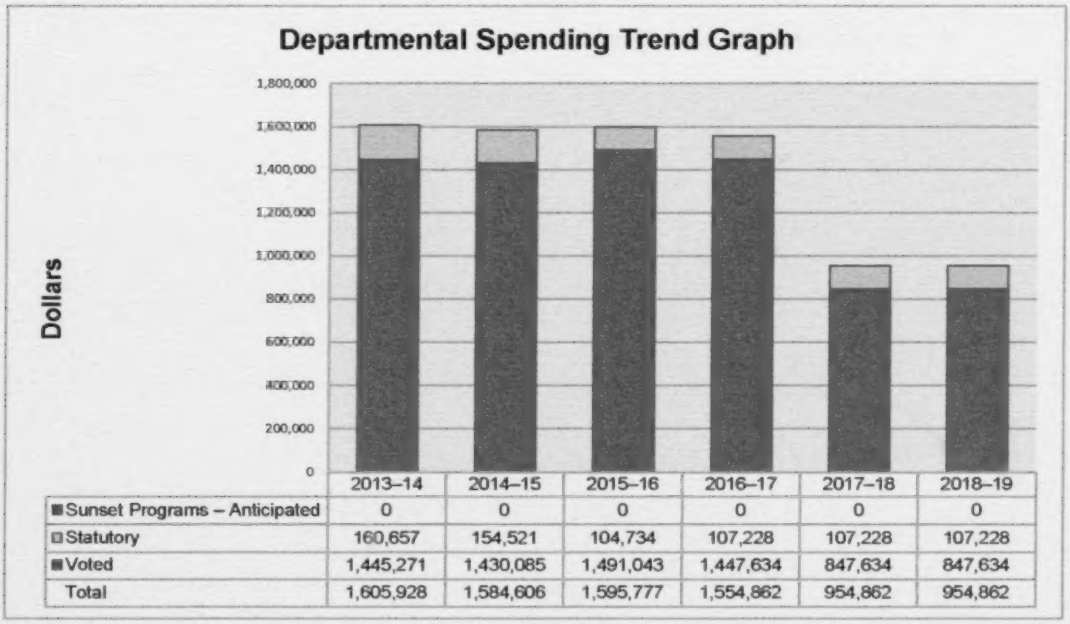
Alignment of 2016–17 Planned Spending With the Whole-of-Government Framework[ii] (dollars)

Strategic Outcome	Program	Spending Area	Government of Canada Outcome	2016–17 Planned Spending
1. Fair and transparent labour relations decision-making that reinforces accountability	1.1 Appeal case review	Government affairs	Well-managed and efficient government operations	1,554,862

Total Spending by Spending Area (dollars)

Spending Area	Total Planned Spending
Economic affairs	0
Social affairs	0
International affairs	0
Government affairs	1,554,862

Departmental Spending Trend



	2013–14	2014–15	2015–16	2016–17	2017–18	2018–19
Sunset Programs – Anticipated	0	0	0	0	0	0
Statutory	160,657	154,521	104,734	107,228	107,228	107,228
Voted	1,445,271	1,430,085	1,491,043	1,447,634	847,634	847,634
Total	1,605,928	1,584,606	1,595,777	1,554,862	954,862	954,862

Anticipated spending for 2016-17 includes funds from the directed transfer of $600,001 in O&M from the RCMP. Transfers of similar amounts of O&M funds have comprised a significant portion of the ERC's operating budget and spending in previous years ($600,001 in 2015-16 and $700,001 in both 2014-15 and 2013-14). The ERC is seeking to secure permanent funding for 2016-17 and onwards at levels needed to meet projected requirements.

Estimates by Vote

For information on the ERC's organizational appropriations, consult the 2016–17 Main Estimates.[iii]

Section II: Analysis of Program by Strategic Outcome

Strategic Outcome: Fair and transparent labour relations decision-making that reinforces accountability

Program 1.1: Appeal Case Reviews

Description

The ERC is an independent administrative tribunal that contributes to fair and equitable labour relations and helps to reinforce accountability at all levels within the Royal Canadian Mounted Police (RCMP). Other than the courts, the ERC is the only independent review mechanism available to RCMP members and management for labour relations matters. The ERC conducts impartial reviews of appeals of certain conduct measures imposed on RCMP members and of written decisions regarding harassment complaints, revocations of appointments, discharges, demotions and ordered stoppages of pay and allowances. Case files dealing with these matters are referred to the ERC for review by the RCMP pursuant to sections 33 and 45.15 of the *Royal Canadian Mounted Police Act* and section 17 of the *Royal Canadian Mounted Police Regulations*. In conducting its reviews of referred case files, the ERC considers the entire file record that is provided by the RCMP which can include statements from members (complainants, respondents and others), video or audio records and testimony from witnesses, historical human resources file materials and other documentation. Once a review has been completed, the ERC provides findings and recommendations to the Commissioner of the RCMP (as the final decision maker) and to the parties. The ERC's findings and recommendations are directed at ensuring that the general principles of administrative law and labour law are respected and that the requirements of the *RCMP Act* and other relevant legislation, such as the *Canadian Human Rights Act*, are adhered to in decision making. In some cases, the ERC makes recommendations for broader change or for actions that might be taken to address issues raised in a file (e.g., changes in RCMP policies or management practices, or additional or new training for RCMP members or managers). Access to summaries of ERC findings and recommendations and to ERC reports and discussion papers is provided to RCMP members and the public through the ERC's website and publications, and through presentations or other outreach to RCMP members.

Budgetary Financial Resources (dollars)

2016–17 Main Estimates	2016–17 Planned Spending	2017–18 Planned Spending	2018–19 Planned Spending
1,554,862	1,554,862	954,862	954,862

Human Resources (Full-Time Equivalents [FTEs])

2016–17	2017–18	2018–19
8	6	6

Performance Measurement

Expected Results	Performance Indicators	Targets	Date to Be Achieved
ERC findings and recommendations are issued in a timely manner.	Percentage of cases where findings and recommendations are issued within the service standard time limit.	100%	March 31, 2017
RCMP members are aware of and understand workplace issues well.	Percentage of summaries of findings and recommendations issued that are posted on the website within two months following each quarter.	100%	Ongoing
Canadians and Parliamentarians are informed of the ERC's role, key findings and recommendations.	Percentage of ERC findings and recommendations that are reflected in the ERC Chair's Annual Report to Parliament.	100%	Ongoing

Planning Highlights

The ERC will continue to review and assess its case review practices and processes, in coordination with the RCMP where appropriate, to streamline operations and optimize efficiency. A key focus will be on addressing a backlog of legacy cases under the former legislation which grew considerably in 2015-16 as a result of an unusually high number of referrals. The ERC will also continue to adapt its operations and knowledge base to be able to work effectively under the current legislation, with staff orientation and learning activities as key components of its work in this regard. The introduction of service standards with time limits for

the ERC's processing of case files will support program management, transparency and accountability.

Based on preliminary estimates, the number of files referred to the ERC in 2016-17 (for legacy cases and current legislation cases combined) may be double the historical annual average. This level of referrals will persist for an estimated five years until virtually all legacy files have worked their way through the RCMP's internal processes. The ERC's ability to address an increased workload of this magnitude and its existing backlog will depend on the availability of additional, skilled resources and the ability of the organization to integrate such resources into its operations efficiently.

The engagement of RCMP labour relations stakeholders by the ERC will help support the ERC's ongoing transition to operations under the current legislation. We will maintain dialogue with the Force on general program management and administrative matters, where appropriate, and continue targeted outreach undertaken in coordination with the Force. Web-based and other communications activities that support member awareness of workplace issues (such as disseminating case review summaries to RCMP members in the ERC *Communiqué* publication) will also support the transition.

While positioning itself to address the challenges that it will face in 2016-17, the ERC will ensure that its findings and recommendations in each case it reviews are substantively correct, clear and relevant for the concerned parties and for the Commissioner of the RCMP.

Internal Services

Description

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. Internal services include only those activities and resources that apply across an organization, and not those provided to a specific program. The groups of activities are Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

The Treasury Board of Canada Secretariat granted the ERC an exemption from reporting on financial commitments to Internal Services as a separate program beginning in 2009-10 (given the focused nature of the ERC program and associated resources). This Report, therefore, presents information based on a single ERC appeal case file review program and does not provide information on Internal Services separately.

Section III: Supplementary Information

Future-Oriented Condensed Statement of Operations

The Future-Oriented Condensed Statement of Operations provides a general overview of the ERC's operations. The forecast of financial information on expenses and revenues is prepared on an accrual accounting basis to strengthen accountability and to improve transparency and financial management.

Because the Future-Oriented Condensed Statement of Operations is prepared on an accrual accounting basis, and the forecast and planned spending amounts presented in other sections of the Report on Plans and Priorities are prepared on an expenditure basis, amounts may differ.

A more detailed Future-Oriented Statement of Operations and associated notes, including a reconciliation of the net cost of operations to the requested authorities, are available on the ERC's website.[iv]

Future-Oriented Condensed Statement of Operations
For the Year Ended March 31, 2016
(dollars)

Financial Information	2015–16 Forecast Results	2016–17 Planned Results	Difference (2016–17 Planned Results minus 2015–16 Forecast Results)
Total expenses	1,781,325	1,742,879	(38,446)
Total revenues	0	0	0
Net cost of operations before government funding and transfers	1,781,325	1,742,879	(38,446)

The variation between estimated and planned results is not material.

Supplementary Information Tables

The supplementary information tables[v] listed in the 2016–17 Report on Plans and Priorities are available on the ERC's website.

- Greening Government Operations;
- Upcoming Internal Audits and Evaluations Over the Next Three Fiscal Years.

Tax Expenditures and Evaluations

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures each year in the Tax Expenditures and Evaluations[vi] publication. The tax measures presented in that publication are the responsibility of the Minister of Finance.

Section IV: Organizational Contact Information

Royal Canadian Mounted Police External Review Committee
P.O. Box 1159, Station B
Ottawa, Ontario K1P 5R2
Canada

Telephone: 613-998-2134
Fax: 613-990-8969
E-mail: org@erc-cee.gc.ca
Web: http://www.erc-cee.gc.ca

Appendix: Definitions

Appropriation: Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures: Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Departmental Performance Report: Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Reports on Plans and Priorities. These reports are tabled in Parliament in the fall.

full-time equivalent: A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

Government of Canada outcomes: A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

Management, Resources and Results Structure: A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures: Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance: What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator: A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting: The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

planned spending: For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

plans: The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

priorities: Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

program: A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

Program Alignment Architecture: A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Report on Plans and Priorities: Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

results: An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures: Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

Strategic Outcome: A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program: A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target: A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures: Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

whole-of-government framework: Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

Endnotes

i. **Department of Justice Canada**, http://laws-lois.justice.gc.ca/eng/acts/R-10/index.html
ii. **Whole-of-government framework**, http://www.tbs-sct.gc.ca/ems-sgd/wgf-ipp-eng.asp
iii. **2016–17 Main Estimates**, http://www.tbs-sct.gc.ca/hgw-cgf/finances/pgs-pdg/gepme-pdgbpd/index-eng.asp
iv. **RCMP External Review Committee**, http://erc-cee.gc.ca/cnt/rsrcs/rprts/fofs-cfp/index-eng.aspx
v. **RCMP External Review Committee**, http://erc-cee.gc.ca/cnt/rsrcs/rprts/rpp/index-eng.aspx
vi. **Tax Expenditures and Evaluations publication**, http://www.fin.gc.ca/purl/taxexp-eng.asp